

ENTERED

June 17, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

RUBEN GUTIERREZ,

Plaintiff,

VS.

LUIS V SAENZ, *et al*,

Defendants.

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CIVIL NO. 1:19-CV-185

ORDER

On June 12, 2020, the Fifth Circuit vacated this Court's stay of execution of Plaintiff Ruben Gutierrez ("Gutierrez"). *Gutierrez v. Saenz*, No. 20-70009, 2020 U.S. App. LEXIS 18733, at *11 (5th Cir. June 12, 2020); *see* Dkt. No. 57. On June 16, 2020, the Supreme Court of the United States stayed Gutierrez's execution. The Supreme Court ordered that "[t]he District Court should promptly determine, based on whatever evidence the parties provide, whether serious security problems would result if a prisoner facing execution is permitted to choose the spiritual adviser the prisoner wishes to have in his immediate presence during the execution."

The Court **SETS** the following deadlines in the above-captioned case:

- **July 8, 2020** Deadline to conduct discovery and submit evidence regarding the security question above.
- **July 22, 2020** Deadline for each party to submit a brief on the security question evidence.
- **July 22, 2020** Deadline for each party to submit a brief regarding what, if any, DNA claims remain in this case and the merits of those claims.

Replies may be submitted within seven days of any brief filed. Without leave of Court, briefs may not exceed **30 pages** and replies may not exceed **10 pages**. Motions to extend deadlines should be raised promptly with the Court.

SIGNED this 17th day of June, 2020.

A handwritten signature in black ink, appearing to read "Hilda Tagle", written over a horizontal line.

Hilda Tagle
Senior United States District Judge